

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

KANDARP A. MAJMUNDAR,

Plaintiff,

v.

BRUCE E. CHADBOURNE,
DIRECTOR, B.C.I.S.,

Defendant.

Civil Action No. 04-11391-WGY

DEFENDANT'S MOTION DISMISS COMPLAINT AS MOOT

Defendant respectfully moves to dismiss this action on the grounds that the Plaintiff's Complaint for Mandamus is now moot. On November 4, 2004, the Department of Homeland Security (DHS), through the United States Citizenship & Immigration Services (USCIS) agency issued a determination on the Plaintiff's Application For Naturalization (N-400 Application). A copy of the determination cover page is attached which also outlines the administrative remedies now available to the Plaintiff. Thus, the Mandamus relief sought by the Plaintiff from this Court is no longer necessary. Accordingly this action should be dismissed.

Respectfully submitted,

For the Defendant,
BRUCE E. CHADBOURNE,
Director, B.C.I.S.

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Anton P. Giedt 11/10/04

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LOCAL RULE 7.1 CERTIFICATE

I, Anton P. Giedt, Assistant U.S. Attorney, hereby certify that I conferred with Plaintiff's counsel of record by telephone in an effort to resolve the issues raised in this Motion and that the effort to resolve this matter was unsuccessful.

/s/ Anton P. Giedt 11/10/04
Anton P. Giedt
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

Suffolk, ss.

Boston, Massachusetts
DATE: November 10, 2004

I, Anton P. Giedt, Assistant U.S. Attorney, do hereby certify that I have this day served a copy of the foregoing upon Plaintiff's counsel of record electronically and by First Class Mail by placing said copy in the mail room of the U.S. Attorney's Office.

/s/ Anton P. Giedt
Anton P. Giedt
Assistant U.S. Attorney

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